

Response Under 37 C.F.R. § 1.116  
U.S. Application No. 10/780,672

**REMARKS**

Claims 9-15, 18 and 20 are all the claims pending in the application, stand rejected. Applicant has not made any further amendments to the claims. However, Applicant respectfully submits that the Examiner's previous analysis is in error and a careful review of the following arguments in favor of patentability is respectfully requested.

As a preliminary matter, Applicant wishes to emphasize that the claims expressly state that (1) the "writer" contained in the "manager" is operative to update the "identification information" when the restriction of the unlocking actuation of the limiter is released (claim 9) or when the releasing step is performed (claim 18) and (2) the updating is performed in the key.

***Claim Rejections - 35 U.S.C. § 103***

**Claims 9-15, 18 and 20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Gokcebay (5,337,043) in view of Ayala et al (2002/0014950), Mabuchi et al (5,774,065) and Hurskainen et al (6,155,089).** This rejection is traversed for at least the following reasons.

**Gokcebay**

The Examiner again substantially repeats the basis for his rejection of these claims from the prior Office Action, particularly with respect to the discussion of the teachings of Gokcebay as they are applied to claim 9. The Examiner admits that Gokcebay does not teach a limiter, as claimed, particularly where (1) the writer updates the identification information stored in the key (2) when the restriction for the unlocking actuation of the limiter is released.

**Ayala et al**

The Examiner again comments that Ayala et al teaches in paragraph [0010] that the manager includes a writer that rewritably records the identification information in the first storage of the key. Applicant previously argued that Ayala et al does not rewrite when a restriction for unlocking actuation of a limiter is released.

**Mabuchi et al**

The Examiner does not acknowledge any deficiency in Ayala alone or in combination with Gokcebay or Hurskainen et al. Nonetheless, the Examiner inherently admits such deficiency since he looks to the newly cited patent to Mabuchi et al for a teaching of a writer that updates the identification information that is stored in a key when the restriction of the unlocking actuation of the limiter is released, with reference to col. 6, lines 42-49. The Examiner asserts that this portion of Mabuchi et al teaches an updated identification code comprising updated rolling code and actuation code.

Notably, Mabuchi et al teaches at col. 4, with regard to Fig. 1, that a transmitter 1 includes a microprocessor 11, an EEPROM 19 that stores an ID code specific to the transmitter, and a RAM that stores a rolling code which varies each time it is transmitted, as well as the data for transmission code production. A receiver 2 that receives a transmitted code includes a microprocessor 21 that produces an ID code and rolling code from the output signal as demodulated according to a predetermined process. The receiver 2 also includes an EEPROM 26, which stores a code corresponding to the ID code that is specific to the transmitter.

As explained with regard to the flowcharts in Figs. 2A and 2B, at the transmitter a 4 bit random number code is generated (step 20) and a rolling code is updated (step 30) each time the rolling code is transmitted, as explained at col. 4, lines 48-56. There, it also is suggested that the code may vary according to some prescribed rule, although no other rules are identified. A transmission code is generated according to steps 40, 50 and 60, and then transmitted in step 70. This process is repeated each time that a switch is closed at the transmitter.

At the receiver 2, the transmitted code is received and processed in steps 110-130 to extract the transmitted ID code and rolling code, and a determination is made in step 140 as to whether the ID code of the transmitter matches the stored ID code at the receiver, indicating an authorized link of the two devices. Then, the rolling code that has been restored is compared to a previously stored rolling code and a determination made as to whether the difference is within a range of +1 to +X, as described for step 150 at col. 6, lines 11-18. If the code is within the range, the code is stored in step 160 for subsequent use when the next code is received, and a device is

Response Under 37 C.F.R. § 1.116  
U.S. Application No. 10/780,672

actuated in step 170. Notably, the code is changed and updated at the transmitter upon transmission, and is changed and updated at the receiver upon reception. In neither case is there an updating upon actuation.

Thus, the Examiner's analysis is not correct at page 4 of the Office Action, where he asserts that Mabuchi teaches a writer which "updates the identification stored in the key when the restriction for the unlocking actuation of the limiter is released," where the updated identification code comprises updated rolling code and actuation code. First, there is no key in Mabuchi, nor any structure that corresponds to a key. Second, there also is no writer that rewritably records identification information in a first storage, which is located in a key. Mabuchi et al merely teaches an active transmitter and an active receiver that use a rolling code, where the receiver stores a rolling code that is transmitted from the transmitter.

If there were to be any correspondence between the system of Mabuchi and the present invention, the transmitter 1 would have to correspond to the key for opening a door, since the receiver 2 is at the location of actuators. In such case, there is no updating or rewriting of information in the key/transmitter by a writer in another device, namely a manager, as claimed. The receiver 2 cannot correspond to the key because it is clearly the actuator. Given these differences, there is no teaching or suggestion as to how the combination of prior art may be modified to meet the claimed invention. The Examiner must use hindsight taken from the applicant's own invention to make the modification of Gokcebay to even come close to a structure similar in operation to the present invention.

**Hurskainen et al**

The Examiner mentions Hurskainen et al but does not explain how the reference is used in framing the rejection. It is not clear whether the Examiner admits that the proposed combination of three references are deficient and Hurskainen et al remedies such deficiency, or whether Hurskainen et al is an alternative to Mabuchi et al. It appears the Hurskainen et al is cited for the teachings of a lock system with limiter, specifically, a coupling member 23, locking mechanism 22 and recess 22a.

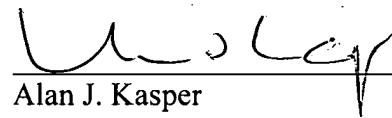
Response Under 37 C.F.R. § 1.116  
U.S. Application No. 10/780,672

Even if Hurskainen et al can suggest a limiter, it does not remedy the main deficiency of Gokcebay and Ayala et al that was identified by the Applicant and admitted by the Examiner. As already noted, Mabuchi et al does not provide the missing teachings. In none of the cited references is there a teaching or suggestion with respect to the updating of identification information when the restriction of the unlocking actuation of the limiter is released and where the rewritable recording of identification information occurs in the key first storage. Thus, the rejection should be withdrawn and all of the pending claims found patentable.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

  
\_\_\_\_\_  
Alan J. Kasper  
Registration No. 25,426

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE  
23373  
CUSTOMER NUMBER

Date: March 24, 2006